

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

James L. Phelps,

:

Petitioner/Defendant, : **Civil Action No. 10-0529-CG**

v. : **Criminal No. 06-00279-CG-C**

United States of America, :

Respondent. :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the recommendation to which objection is made, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated October 22, 2010 is **ADOPTED** as the opinion of this Court.

DONE and ORDERED this 5th day of November, 2010.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE